



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
[www.raleighnc.gov](http://www.raleighnc.gov)

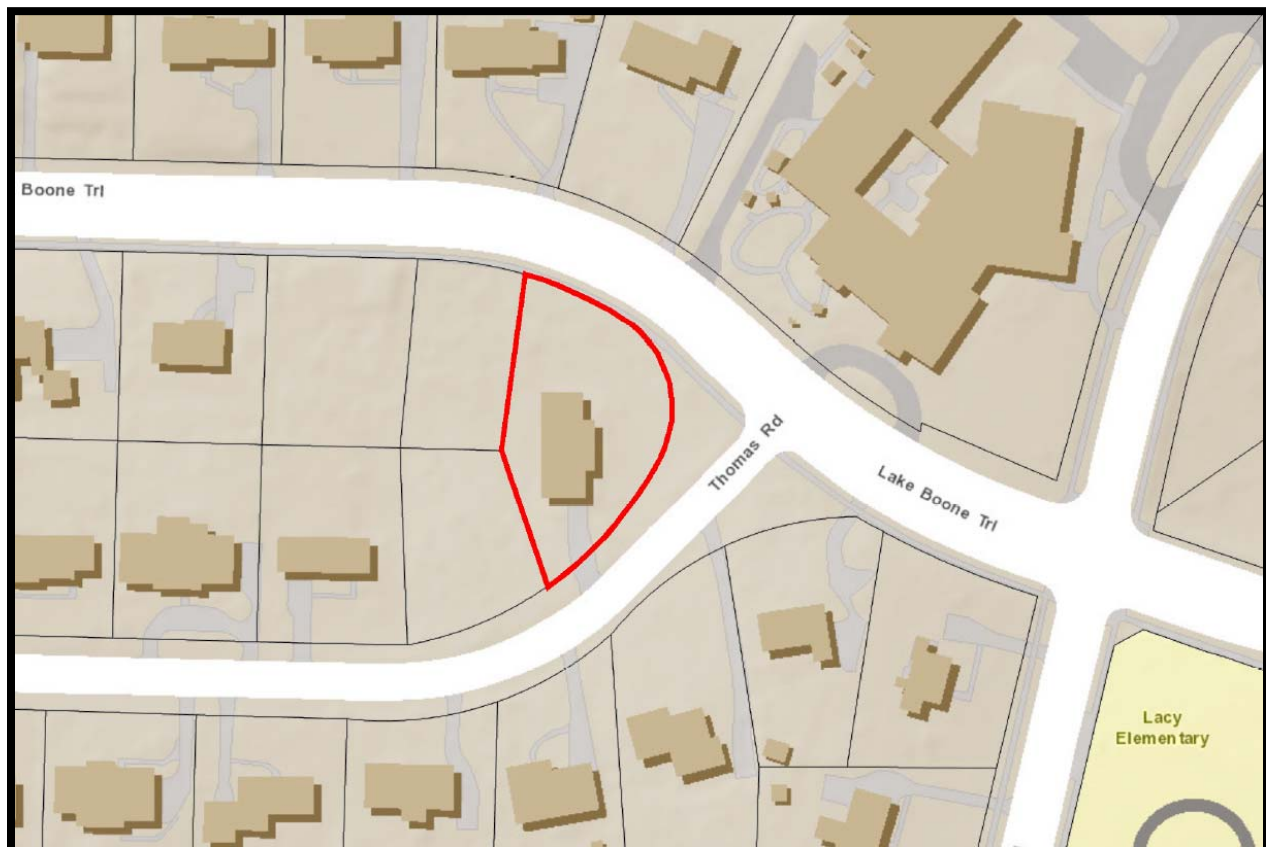
**Case File:** A-66-17

**Property Address:** 3312 Thomas Road

**Property Owner:** Raleigh Custom Homes, Inc.

**Project Contact:** Michael Birch

**Nature of Case:** A request for a .7' variance to the street setback variance from the Infill Compatibility Requirements set forth in Section 2.2.7.C. of the Unified Development Ordinance to allow for a detached house that is 26' from the front property line on a portion of the .5 acre parcel zoned Residential-4 and located at 3312 Thomas Road.



**3312 Thomas Road – Location Map**

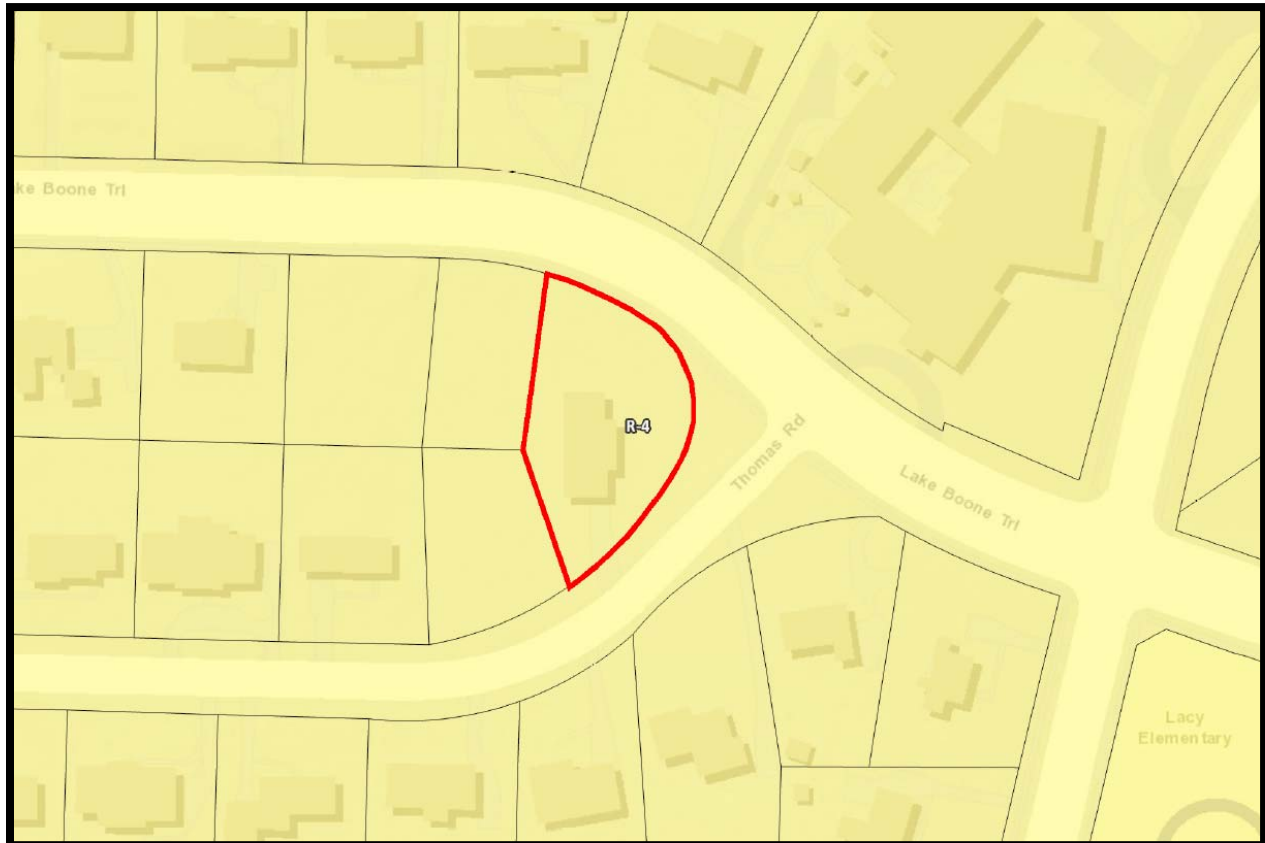
---

**To BOA:** 5-8-17

**Staff Coordinator:** Eric S. Hodge, AICP

---

**ZONING  
DISTRICTS:** Residential-4



### 3312 Thomas Road – Zoning Map

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from

personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

**Zoning District Standards:** The subject property is zoned Residential-4

**Lot Dimensions**

|                            |           |
|----------------------------|-----------|
| Area (min)                 | 10,000 SF |
| Width – interior lot (min) | 65        |
| Width – corner lot (min)   | 80'       |
| Depth -                    | 100;'     |

**Yard Type**                      **Minimum Setback**

|                |     |
|----------------|-----|
| Primary Street | 20' |
| Side Street    | 15' |
| Side           | 10' |
| Sum of Sides   | 20' |
| Rear           | 30' |

**Section 2.2.7 Residential Infill Compatibility**

**A. Intent**

The intent of the residential infill compatibility standards is to accommodate and encourage compatible development in existing residential neighborhoods, while reinforcing the established character of the neighborhood and mitigating adverse impacts on adjacent homes.

**B. Applicability**

1. The standards contained within this section apply to any building in an R-4, R-6 or R-10 district where all of the following are present:

- a. The total site area is 5 acres or less;

- .
- b. At least 50% of the side and rear property lines abut existing detached or attached building types; and
- .
- .
- c. The lot must have been recorded for at least 20 years. This time period includes subsequent recombinations or subdivisions of the original lot configuration or recordation.
- .
- 2. These infill compatibility rules do not apply in a General or Streetside Historic Overlay District or in a Neighborhood Conservation Overlay District where height is regulated.

### **C. Street Setback**

1. The proposed building must be located within the range of setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range, except where a Neighborhood Conservation Overlay District applies an alternate setback.
2. On an interior lot, the range of setbacks is measured on the basis of the 2 closest lots in either direction along the block face.
3. On a corner lot, the range of setbacks is measured on the basis of the 3 closest lots along the primary block face.
4. Where the calculation cannot be applied to at least 4 lots on an interior lot or 3 lots on a corner lot, the building must meet the district standards.

# Application for Variance

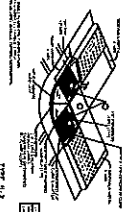
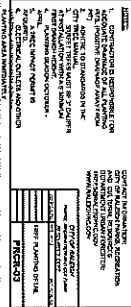


Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

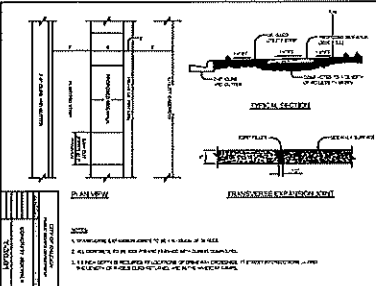
Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

| NATURE OF REQUEST  | OFFICE USE ONLY                          |
|--|--|
| <p>Nature of variance request (if more space is needed, submit addendum on separate sheet):<br/> Property owner requests a 7' variance to the front yard setback of 33' imposed by UDO section 2.2.7.C.3. in order to permit a 26' front yard setback.</p> | <p>Transaction Number</p> <p>A-66-17</p> |
| <p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p>A-50-16</p>               |  |

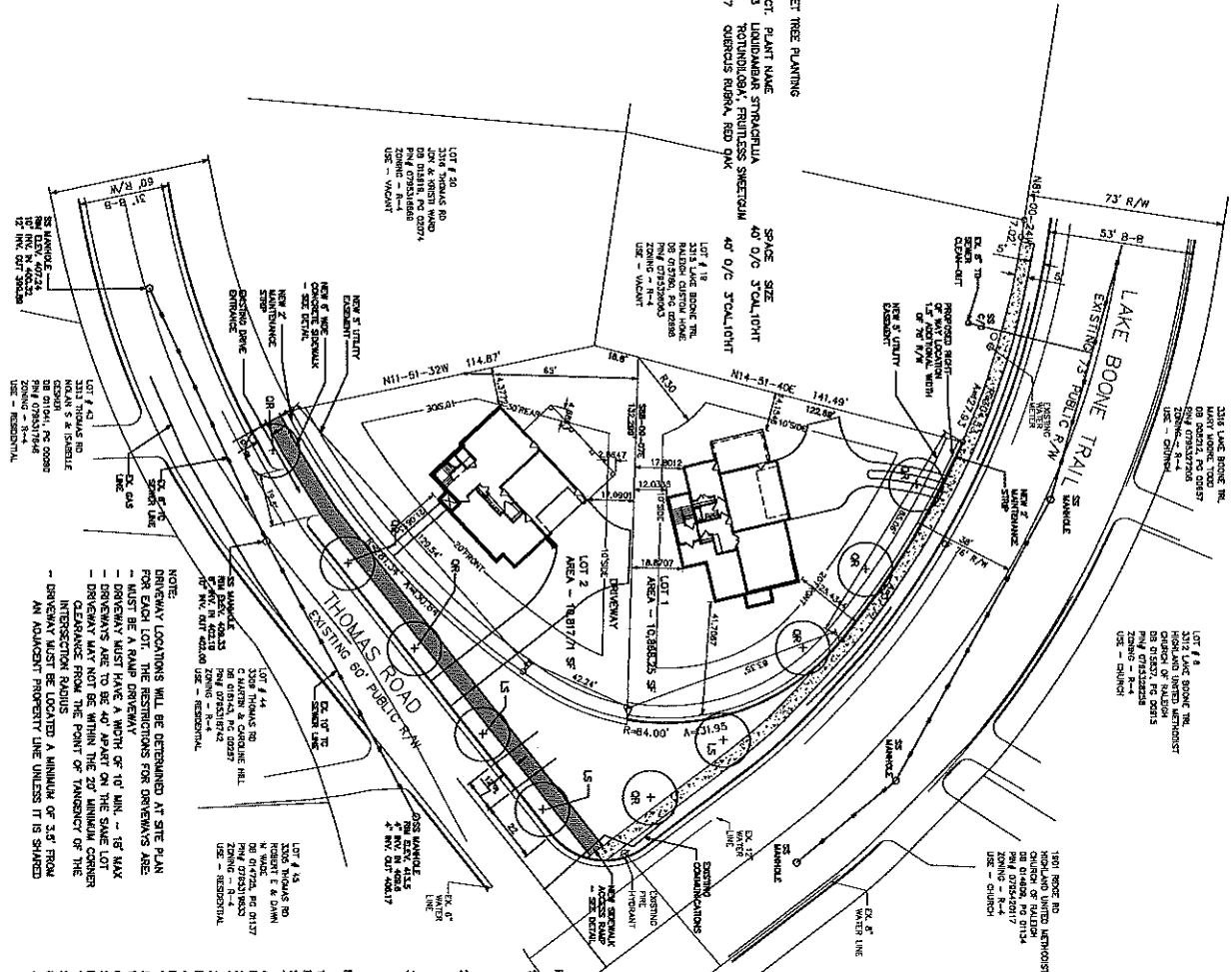
| GENERAL INFORMATION              |  |                                       |
|----------------------------------|--|---------------------------------------|
| Property Address                 | 3312 Thomas Rd   |                                       |
| Property PIN                     | 0795-31-7968   | Current Zoning R-4                    |
| Nearest Intersection             | Thomas Rd and Lake Boone Tr  | Property size (in acres)<br>0.5 acres |
| Property Owner                   | Raleigh Custom Homes, Inc  | Phone 919.395.1529 Fax                |
| Owner's Mailing Address          | PO Box 99639, Raleigh, NC 27624  | Email tim@raleighcustomhomes.net      |
| Project Contact Person           | Michael Birch, Morningstar Law Group   | Phone 919.590.0388 Fax                |
| Contact Person's Mailing Address | 421 Fayetteville St, Ste. 530, Raleigh, NC 27601   | Email mbirch@morningstarlawgroup.com  |
| Property Owner Signature         |  | Email                                 |
| Notary                           | <p>Sworn and subscribed before me this <u>30</u> day of <u>March</u>, 20<u>17</u></p> <p>Notary Signature and Seal<br/> <br/> </p> |                                       |



1. A patient with a 2-week history of malaise and weight loss. The patient has no other symptoms.
2. A 45-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
3. A 60-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
4. A 75-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
5. A 90-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
6. A 105-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
7. A 120-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
8. A 135-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
9. A 150-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.
10. A 165-year-old male with a 2-week history of malaise and weight loss. The patient has no other symptoms.



| STREET TREE PLANTING |  |
|----------------------|--|
| KEY CT.              | PLANT NAME   |
| LS 3                 | LIQUIDAMBAR STRACIFILIA<br>'ROTUNDIFOLIA', FRUITLESS |
| QR 7                 | QUERCUS RUBRA, RED OAK                               |



SITE DATA:  
PIN NUMBER = 079537808  
REQD. ACRES = 60.7242  
OWNER = JAMES H. RALPH  
TOTAL AREA/AC. = 22,185.2 SF = .509 AC  
W/ RIGHT OF WAY DEED/AC. = 255 SF (0.0058 AC)  
LOT 1 = 10,891.5 SF = 0.25 AC  
LOT 2 = 10,893.2 SF = 0.25 AC  
EXISTING SPREADS/AC. = 3100 SF = 0.113 AC  
HOUSE = 2,342. PAVD / PORCH = 672.  
THESE STRUCTURES ARE TO BE DEMOLISHED  
PRIOR TO SUBDIVISION OF LOT  
DEADEND PERMIT NUMBER =  
ZONING = R-4  
GLENWOOD  
CITIZENS ADVISORY COUNCIL -

SCALE: 1" = 20'

LEGEND:

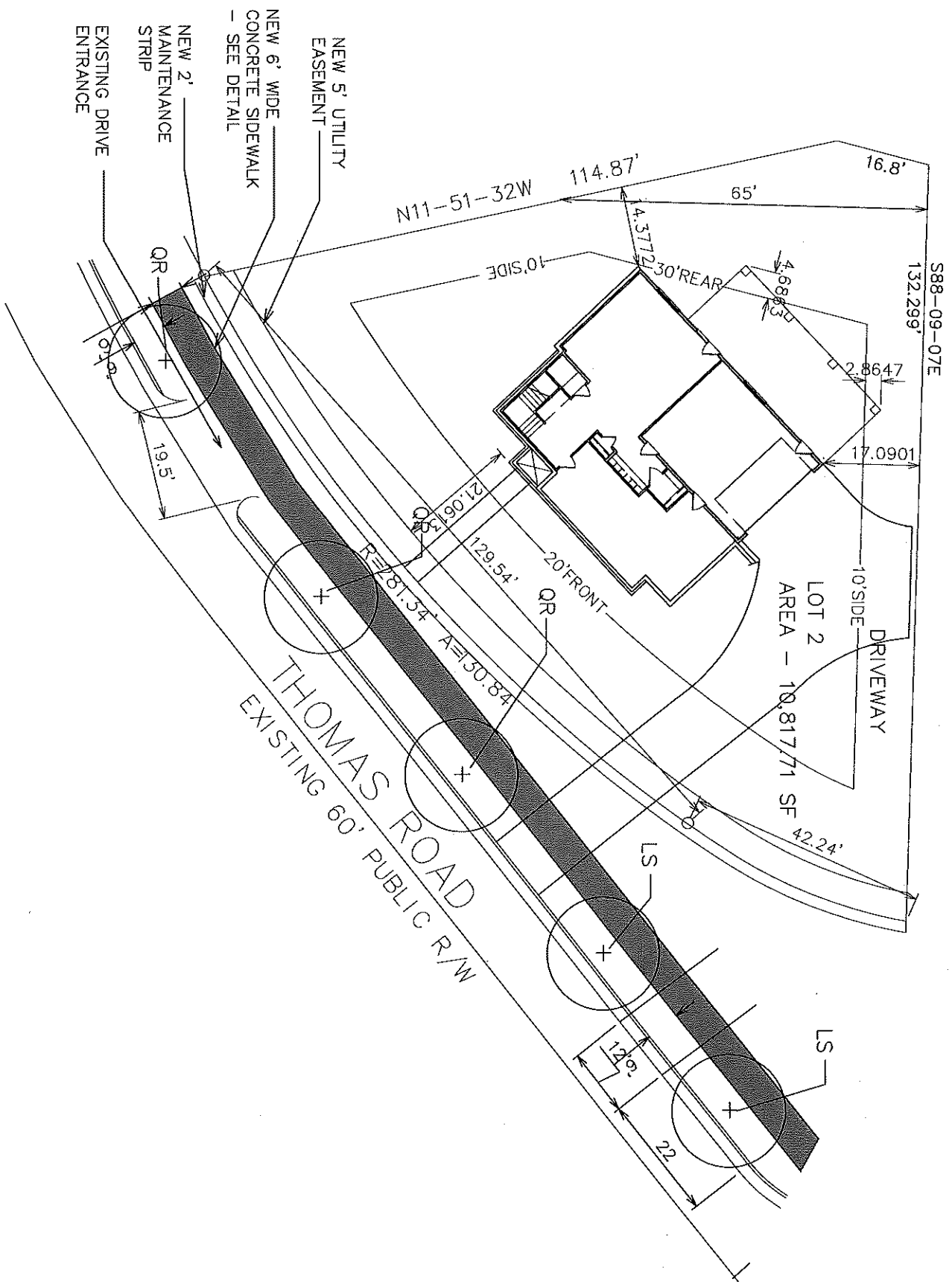
|                       |               |
|-----------------------|---------------|
| EXISTING TOPOGRAPHY   | PROPERTY LINE |
| STORMWATER DRAIN LINE | CLEANOUT      |
|                       | WATER METER   |
|                       | WATER VALVE   |
|                       | MAN HOLE      |
|                       | CHIMNEY       |

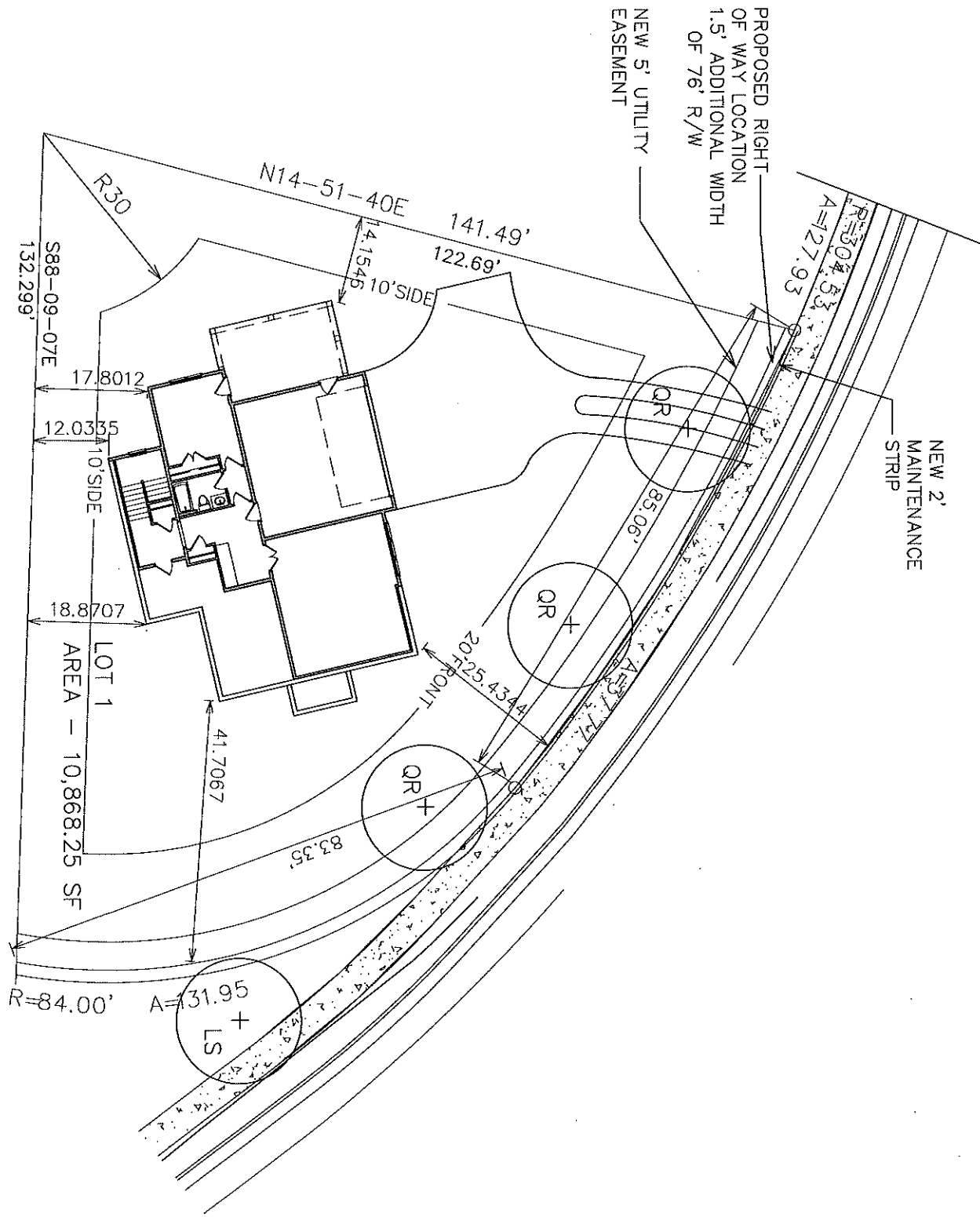
1. DESIG RUMBLE AND SITE EIGHTONS ARE BASED ON A PLOT PLAN BY BERNARD & ASSOCIATES, 324 DUNCAN WAY, WAKE FOREST, NC. PHONE NUMBER 818 414-2801. ENTITLED "LANDS OF RALEIGH CUSTOM HO. 3312 THOMAS RD. DARTMOUTH AND DATED 11-28-15.
2. TOPOGRAPHIC INFORMATION (CONTOUR DATA) WAS TAKEN FROM A SURVEY BY BERNARD & ASSOCIATES ENTITLED "3315 LAKE BOONE TRAIL & 3312 THOMAS RD. AND DATED 2.6.16.
3. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL CITY OF RALEIGH 8/2009 MCDOT STANDARDS AND SPECIFICATIONS.

[illegible]

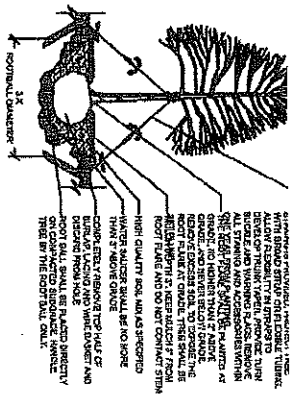
RALEIGH DAIRYLAND SUBDIVISION  
RALEIGH CUSTOM HOMES INC.  
6736 FALLS OF NEUSE RD., SUITE 300  
RALEIGH, NC 27615

SEP 1, 50, 20  
SITE  
PLAN  
SP-1  
3 6



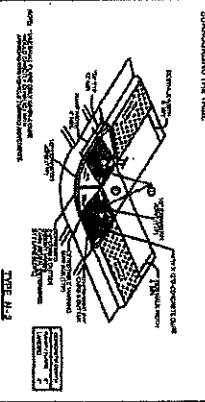






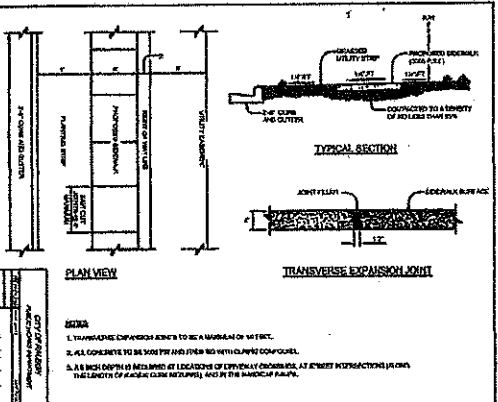
**NOTES:**

1. CONTRACTOR TO BE RESPONSIBLE FOR PROTECTING ALL EXISTING TREES AND PLANTS. ANY TREES OR PLANTS TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
2. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
3. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
4. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
5. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
6. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
7. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
8. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
9. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.



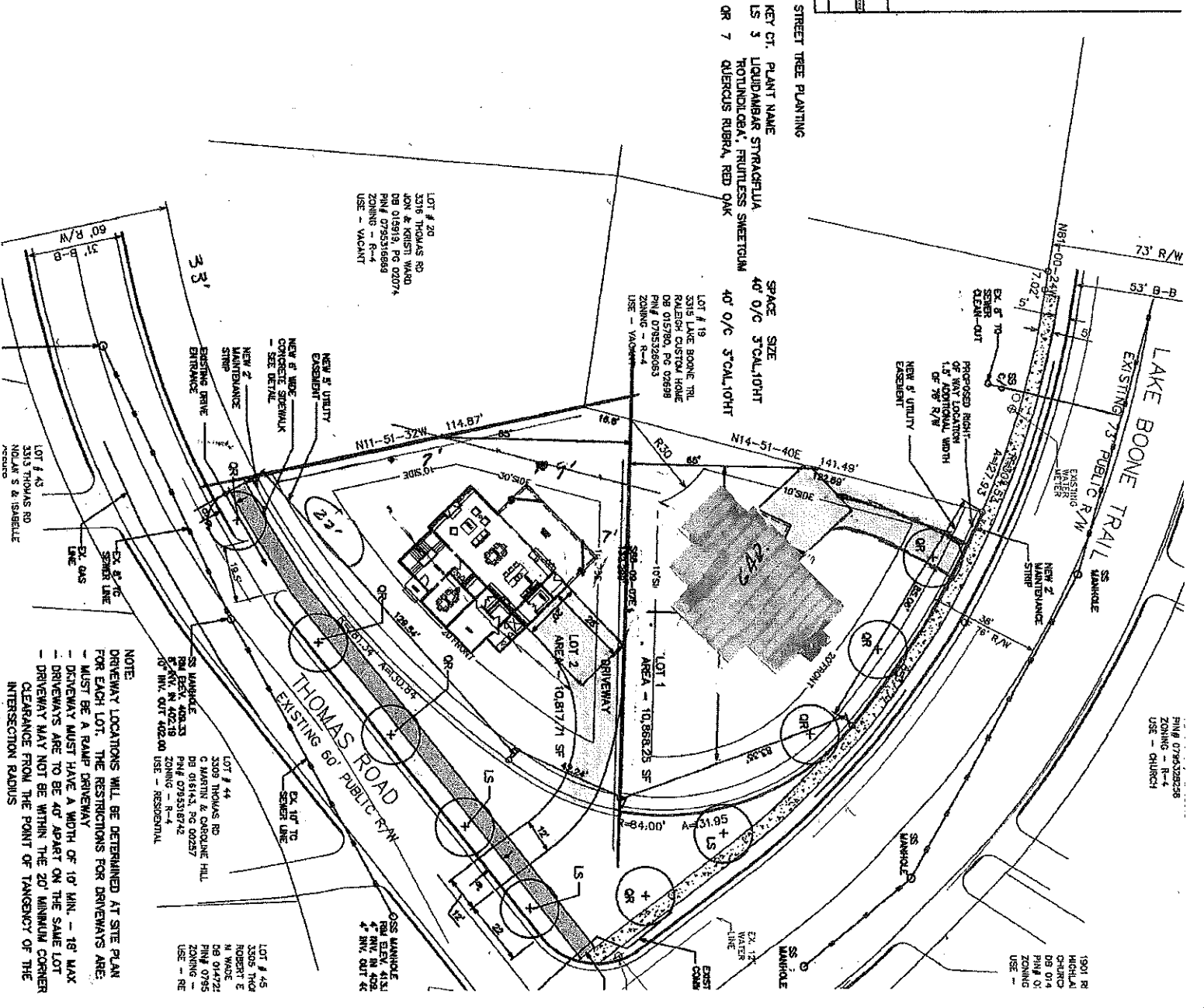
**NOTES:**

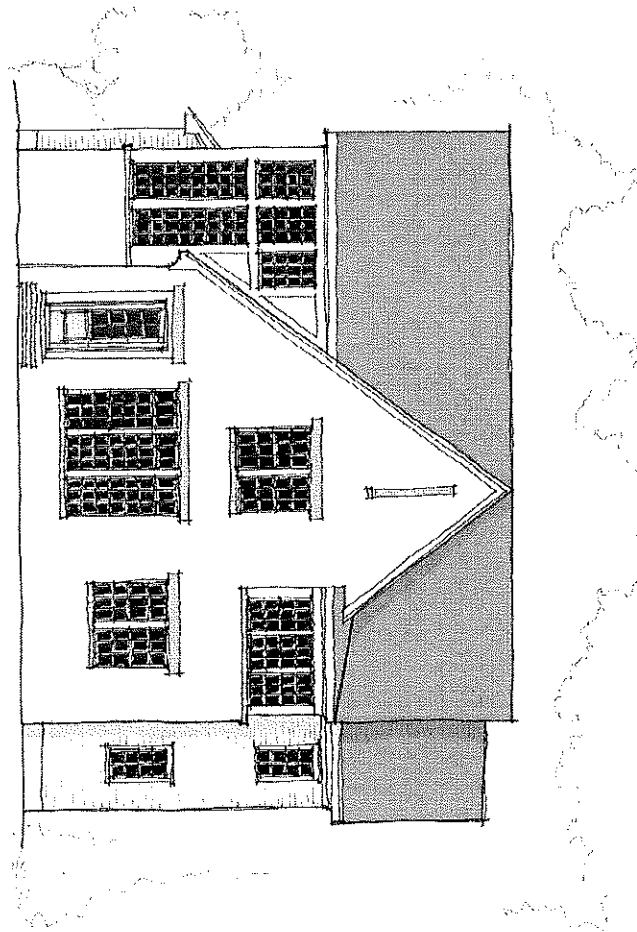
1. CONTRACTOR TO BE RESPONSIBLE FOR PROTECTING ALL EXISTING TREES AND PLANTS. ANY TREES OR PLANTS TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
2. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
3. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
4. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
5. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
6. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
7. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
8. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.
9. ALL TREES TO BE REMOVED MUST BE REMOVED IN ACCORDANCE WITH THE CITY TREES AND PLANTS ORDINANCE.



**STREET TREE PLANTING**

KEY CT. PLANT NAME  
 LS 3 LIQUIDAMBAR STRACELLA  
 OR 7 QUERCUS RUBRA, RED OAK





# RALEIGH CUSTOM HOMES



www.frazierhomedesign.com

**FRAZIER HOME DESIGN, LLC.**

900 RIDGEFIELD DR. SUITE 170

RALEIGH, NC 27609

O: (919) 424-7245

DATE: 04/12/2017

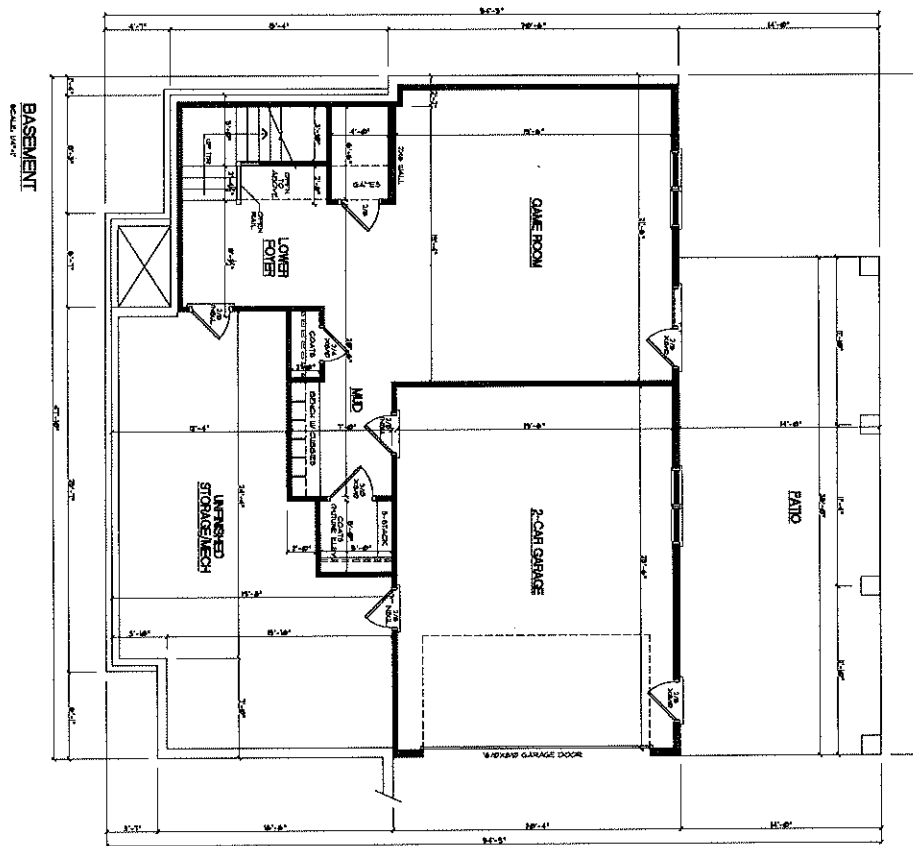
DRAWN BY: CN

REVISION DATE:

ELEVATIONS

SHEET NO.

A1



# RALEIGH CUSTOM HOMES LOT 2 THOMAS RD



www.frazierhomedesign.com  
**FRAZIER HOME DESIGN, LLC.**

900 RIDGEFIELD DR. SUITE 170  
RALEIGH, NC 27609  
O: (919)-424-7245

DATE: 01/06/2017  
DRAWN BY: DN  
REVISION DATE:

FIRST FLOOR

SHEET NO.  
**A3**

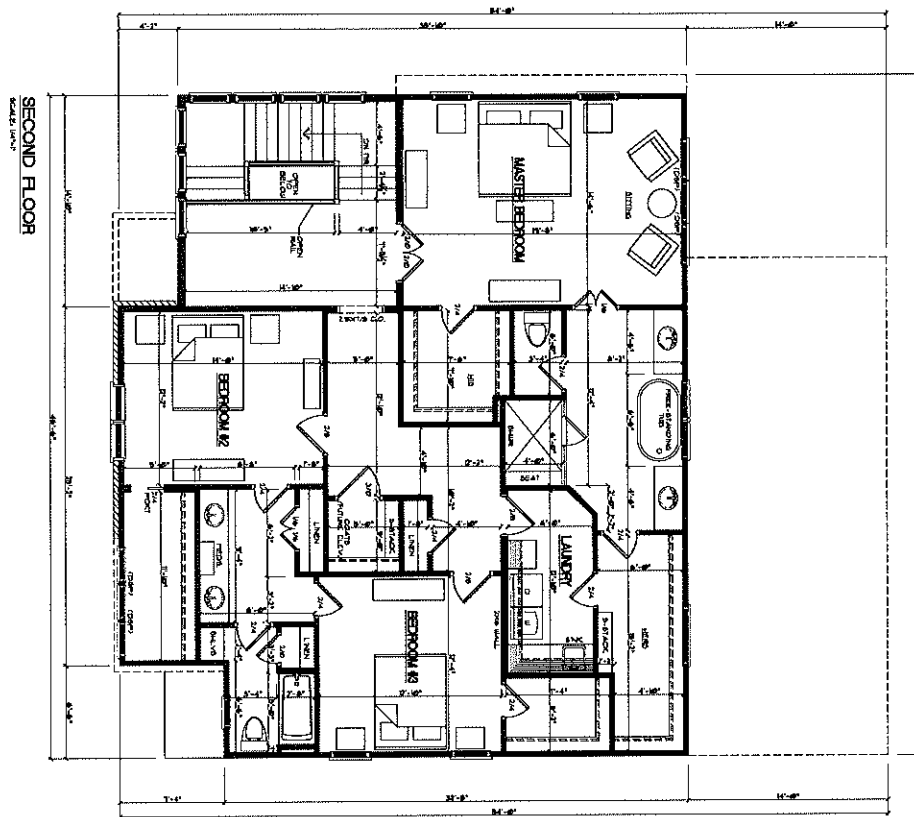
[illegible]

|                    |      |
|--------------------|------|
| LOOK AREA          | 800  |
| DAUGHTER LTD.      | 1000 |
| FIRST FLOOR LTD.   | 1000 |
| SECOND FLOOR LTD.  | 1000 |
| TOTAL BQ.FT.       | 4700 |
| COVERED PORCH      | 400  |
| PATIO              | 400  |
| WALL               | 200  |
| 2-CAR GARAGE       | 200  |
| SPIN STORAGE TECH. | 470  |

[illegible]

PLANS ARE DESIGNED TO MEET THE  
REQUIREMENTS OF THE NORTH CAROLINA  
RESIDENTIAL CODE, 2002 EDITION

A4



# RALEIGH CUSTOM HOMES LOT 2 THOMAS RD



www.frazierhomedesign.com

FRAZIER HOME DESIGN, LLC.

900 RIDGEFIELD DR. SUITE 170

RALEIGH, NC 27609

O: (919)-424-7245

DATE: 07/06/2017

DRAWN BY: CN

REVISION DATE:

SECOND FLOOR

SHEET NO.

A5

0795317968  
RALEIGH CUSTOM HOMES INC  
PO BOX 99639  
RALEIGH NC 27624-9639

0795315858  
TOMLINSON, TRAVIS H JR TOMLINSON,  
LINDA C  
3320 THOMAS RD  
RALEIGH NC 27607-6744

0795316647  
CRUMPLER, MARY CRUTE CRUMPLER,  
LEONARD BURKS JR  
3317 THOMAS RD  
RALEIGH NC 27607-6743

0795316869  
WARD, JON WARD, KRISTI  
3316 THOMAS RD  
RALEIGH NC 27607-6744

0795317648  
GESHER, NOLAN S GESHER, ISABELLE  
HOMES  
3313 THOMAS RD  
RALEIGH NC 27607-6743

0795318742  
HILL, C MARTIN CHEEK-HILL, CAROLINE  
3321 THOMAS RD  
RALEIGH NC 27607-6743

0795319833  
WADE, ROBERT E WADE, DAWN M  
3305 LAKE BOONE TRL  
RALEIGH NC 27607-6747

0795325064  
MISHRIKY, KARIM S  
2309 MYRON DR APT F  
RALEIGH NC 27607-3349

0795325287  
WOMACK, WILLIAM C  
3320 LAKE BOONE TRL  
RALEIGH NC 27607-6748

0795326063  
RALEIGH CUSTOM HOMES INC  
PO BOX 99639  
RALEIGH NC 27624-9639

0795327208  
TODD, MARY MOORE  
3316 LAKE BOONE TRL  
RALEIGH NC 27607-6748

0795328258  
HIGHLAND UNITED METHODIST CHURCH  
OF RALEIGH  
1901 RIDGE RD  
RALEIGH NC 27607-3143

0795420117  
HIGHLAND UNITED METHODIST CHURCH  
OF RALEIGH NC INC...  
1901 RIDGE RD  
RALEIGH NC 27607-3143